

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re	Application of:	Cho et al.	Art Unit: 1731
	Application No.:	10/763,002	Confirmation No.: 6209
	Filed:	January 22, 2004	Examiner: Carlos N. Lopez

Method for Surface Modification of Oxide Ceramics Using Glass and Surface Modified Oxide Ceramics Thereof

(Attorney Docket No. 5652-102US)

FILED ELECTRONICALLY ON USPTO EFS-WEB ON 3-19-2007 BY KAREN RUBINSON
FOR SARAH KLOSEK, 55,332

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Reply to Requirement for Restriction Dated January 4, 2007

Sir:

In response to the Examiner's Action mailed January 4, 2007, Applicants hereby traverse the Examiner's Requirement for Restriction set forth therein and respectfully request reconsideration and withdrawal of the Requirement.

The Examiner has required restriction between the following groups of claims:

Group I - The method for surface modification of oxide ceramics of Claims 1-9 classified in Class 264, Subclass 340; and

Group II - The oxide ceramics of Claims 10-14, classified in Class 501, Subclass 1.

The basis for the Examiner's Requirement for Restriction is that the patent office considers the claim groups to be distinct for the following reasons. Groups I and II are distinct because the oxide ceramics can be made by another and materially different process.

It is respectfully submitted that the Examiner's Requirement is deficient on its face because 35 U.S.C. § 121 requires that the involved inventions be not only distinct, but also independent. Clearly, the inventions defined in the claims of Groups I and II are not

Application No. 10/763,002

independent in that the Group II claims define a method for making the oxide ceramics of the Group I claims.

The Examiner's Requirement has recognized the claim groups do not define independent inventions because it has not characterized them as being independent. Moreover, the Examiner's Requirement has not even attempted to explain why the claims are considered to be directed to independent inventions. Consequently, the Examiner's Requirement is deficient on its face because it has not explained why the four claim groups are considered to define independent subject matter. Accordingly, the Requirement should be withdrawn.

As requested by the Examiner, Applicants elect provisionally with traverse to prosecute claims 1 - 9 of Group I.

It is believed that the claims in this application are in condition for allowance. A favorable action on the merits is respectfully requested.

An electronic payment of \$225.00 for the two-month Petition for Extension of Time fee (small entity) is submitted herewith. The Examiner is authorized to charge any additional fees to Applicants' Deposit Account No. 19-5425.

Respectfully submitted,

/Sarah Klosek/

Sarah Klosek, Esq.
Registration No. 55,332

Date: March 19, 2007

Synnestvedt Lechner & Woodbridge LLP
P.O. Box 592
Princeton, NJ 08542-0592
Telephone: 609-9243773
Facsimile: 609-924-1811